



PATENT APPLICATION
Serial No. 10/046,452
Attorney Docket No. 8449-86523

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Oscar Jimenez

Serial No.: 10/046,452

Filed: January 14, 2002

Title: Angioplasty Super Balloon
Fabrication With Composite Materials

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) Group Art Unit: 1772
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) Examiner: Sandra M. Nolan
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DECLARATION OF OSCAR JIMENEZ UNDER RULE 131

TO: Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Oscar Jimenez, residing at 8000 Los Pinos Boulevard, Coral Gables,
Florida 33143 declare as follows:

1. I am the inventor in the above-identified patent application.
2. During the spring of 2001, I conceived the idea of making a reinforced balloon which I called a super balloon and which was made of a nano-composite reinforced polymer including a polymer and one of carbon nano-tubes, a nano-clay or nano-ceramic fibers formed into a balloon for medical applications, i.e., angioplasty, and having an increased tensile strength over balloons already in the marketplace.
3. I then proceeded to make such a super balloon and ordered nanocomposite pellets from Foster Corporation for use in fabricating

the balloon. Attached and marked Exhibit 1 is a copy of a Purchase Order to Foster Corporation dated May 22, 2001, for the purchase of nanocomposite pellets. Also attached, as Exhibits 2 and 3, are copies of photographs of some of the pellets left over from that purchase.

4. In June 2001, I fabricated a balloon and attached are Exhibits 4-6 which are photographs of the balloon I manufactured in June of 2001.
5. I then prepared an Invention Disclosure that I proceeded to send to my patent attorney, Mr. Thomas Vigil. Attached as Exhibit 7 is the first page of a second draft of the Invention Disclosure having a date of July 15, 2001 and as Exhibit 8 is a copy of the first page of a final draft of the Invention disclosure dated July 18, 2003.
6. Further I faxed my attorney on July 24, 2001 requesting that we add nano-scale ceramic fibers to my Invention Disclosure. Enclosed as Exhibit 9 is a copy of my Fax dated July 24, 2001
7. The foregoing statements and attached documents show that I had conceived and reduced to practice before July 1, 2001 my super balloon comprising a nano-composite reinforced polymer including a polymer and one of carbon nano-tubes, a nano clay or nano-ceramic fibers for medical applications and having a high strength for resisting bursting during over inflation.

Further, I declare under the penalties of perjury under the laws of the United States of America that the above statements are true and correct and that those made on information and belief are believed to be correct and any false statements so made herein will affect the validity of the subject patent application or the patent issuing thereon.

December 24, 2003
Date


Oscar Jimenez